

AMSTER, ROTHSTEIN & EBENSTEIN

MORTON AMSTER  
JESSE ROTHSTEIN (RETIRED)  
DANIEL S. EBENSTEIN  
PHILIP H. GOTTFRIED  
MICHAEL J. BERGER  
NEIL M. ZIPKIN  
ANTHONY F. LO CICERO  
KENNETH P. GEORGE  
ABRAHAM KASDAN, PH.D.  
IRA E. SILFIN  
CHESTER ROTHSTEIN  
CRAIG J. ARNOLD

SENIOR COUNSEL  
CHARLES R. MACEDO  
MARK J. ROSENBERG  
KENNETH M. BERNSTEIN

OF COUNSEL  
JERRY DAINOW



ATTORNEYS AT LAW

PATENTS • TRADEMARKS • COPYRIGHTS

90 PARK AVENUE  
NEW YORK, NEW YORK 10016

TELEPHONE: (212) 697-5995  
FACSIMILE: (212) 286-0854

NEAL L. ROSENBERG  
DENISE A. LINDENAUER  
NANCY M. DODDERIDGE  
PATRICK BOLAND\*  
TREBOR LLOYD  
JOSEPH M. CASINO  
JOHN S. ECONOMOU  
MICHAEL V. SOLOMITA  
HOLLY PEKOWSKY  
MICHAEL P. KENNEY  
MARION P. METELSKI\*  
MONIQUE L. RIBANDO

SCOTT B. CLAVE  
LISA M. LINDNER  
MAX VERN  
DANA R. METTES  
KARL J. SIEGLINGER  
BRIAN J. CONNACK  
RICHARD S. MANDARO  
NATALIE BOGDANOS  
MARC J. JASON  
ELIE H. GENDLOFF, PH.D.  
\* NOT ADMITTED IN NEW YORK

March 20, 2002

"Express Mail" mailing label No. EL 900663698 US

Date of Deposit: March 20, 2002

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Name: Elie H. Gendloff

Signature:

**via Express Mail**

Assistant Commissioner for Patents  
Washington, DC 20231

Re: U.S. Patent Application Serial No. 08/833,838 - Small Entity Status  
Title: PEPTIDES FOR THE TREATMENT AND DIAGNOSIS OF SYSTEMIC  
LUPUS ERYTHEMATOSUS  
Inventor: Bruce D. Gaynor, Betty A. Diamond, Matthew D. Scharff and  
Philippe Valadon  
Our File: 96700/451

Sir:

Enclosed please find the following documents for filing with the above-identified application in the names of Bruce D. Gaynor, Betty A. Diamond, Matthew D. Scharff and Philippe Valadon, entitled PEPTIDES FOR THE TREATMENT AND DIAGNOSIS OF SYSTEMIC LUPUS ERYTHEMATOSUS:

1. a "Response to Communication of February 22, 2002" (2 pages) with attached Appendix A (2 pages);
2. a copy of the "Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures" (1 page); and
3. a Return receipt postcard.

Please acknowledge receipt of the enclosed documents by stamping the enclosed postcard and returning same.

Respectfully submitted,

AMSTER, ROTHSTEIN & EBENSTEIN  
Attorneys for Applicants  
90 Park Avenue  
New York, New York 10016  
(212) 697-5995

By:   
Elie H. Gendloff  
Registration No. 44,704

Dated: New York, New York  
March 20, 2002

MAR 2 0 2002

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING  
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.821 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- 7. Other: Says in claims don't match Paper Copy

**Applicant Must Provide:**

- An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

PatentIn Software Program Support

Technical Assistance.....703-287-0200

To Purchase PatentIn Software.....703-306-2600

**PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY**

RECEIVED  
TECH CENTER 1600/2900  
MAR 28 2002